

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

March 9, 2010

Honorable Allen Sumner
Superior Court of California, County of Sacramento
720 9th Street
Sacramento, CA 95814

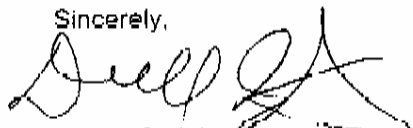
Dear Judge Sumner:

We are writing respectfully to clarify two issues pertaining to the petition before you in Clark v. Bowen, wherein the Legislature of the State of California is named a real party in interest. We have asked our Legislative Counsel to submit this to the Court to be included in the record.

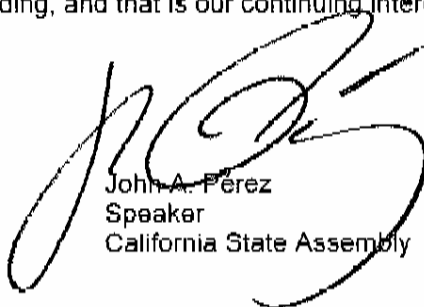
First, we state emphatically that we have no objection to the intervention of Senator Abel Maldonado in this matter, as he has been long engaged in the subject and is the author of the language of SCA 4 and its companion enabling legislation, SB 6. Nor do we object to the intervention of Governor Arnold Schwarzenegger. Due to the unique circumstances surrounding the passage of SB 19, the measure which placed SCA 4 on the June ballot and specified the title and summary language under consideration, participation by advocates and interested parties not named in the petition may be constructive.

Second, we wish to comment regarding the role of our Legislative Counsel, the attorney of record to the Senate and Assembly collectively, in these proceedings. Counsel has engaged in discussions pertaining to the title and summary language contested by the Petitioner. We emphasize that the underlying dispute in this particular case is between the Petitioner and the individuals most involved in proposing and supporting the open primary process. However, the Legislature has a special duty to meet the statutory standard of ensuring a ballot title and summary that is neither false nor misleading, and that is our continuing interest in this litigation.

Sincerely,



Darrell Steinberg
President pro Tempore
California State Senate



John A. Pérez
Speaker
California State Assembly

CC. Governor Arnold Schwarzenegger
Senator Abel Maldonado
Lance Olson, Esq.
Attorney General Jerry Brown